

To: Planning & Development Committee
From: John Chaponis, Assessor, Town of Colchester
Date: March 20, 2019

Testimony in **SUPPORT of HB 7192** AAC Municipal & Regional Opportunities

Your committee will hear and read much testimony on the pros and cons of whether or not a Tax Collector should be appointed or elected. I took a vacation day to come before you today to share our town's unfortunate experiences that I believe confirm the need for appointed employees.

The Tax Collector is not a politician. They do not sit on a board, they do not vote on issues, they do not set policy, and they do not represent a constituency. A tax collector is a municipal employee who must perform a job function that is expressly governed by state statute.

In fact, being an elected official makes it more difficult to perform the job. Some tax collectors did not want to mail out delinquent notices, demands, or foreclose on a property because they feared it hurt their chances for reelection. Rather than work in the office, they go door to door asking for votes while being paid with public funds.

In my 27 year career as the assessor in Colchester, on seven different occasions, I was introduced to a new Tax Collector. It's a costly expense to educate these employees and six out of the seven began this job making the full salary and possessing absolutely no experience. A new tax collector show up for work on their first day, where they are responsible for collecting 40 million dollars a year, and has absolutely no idea what to do. Furthermore, you cannot compel them to take classes or become certified.

Our town saw one tax collector resign after the town caught wind that she intentionally waived interest and taxes to the tune of more than \$200,000. We had to incur the additional expense of performing an in-depth multi-year audit and back billing all of those who received illegal reductions.

Another of our tax collectors only showed up for work half the time the office was open, refused to attend department head meetings, refused any direction from town leaders, and received full pay for less than full performance. The town tried everything to compel the employee to improve but only received the standard "I'm an elected official and you cannot tell me what to do". We roughed that out for six years and at re-election their own party ousted them and refused to nominate them for the party ticket.

A third tax collector was being paid \$60,000 per year plus a \$25,000 benefits package and rarely showed up in the office. I am talking a few hours per week, not per day. They closed their office when all of town hall was open forcing people who came in to pay a bill to leave with the cash in their hand. This employee took the entire delinquent tax list and farmed it out to a collection agency who charges an additional 15% surcharge on top of the 18% interest the town gets.

Our residents had to pay 33% interest to a law office in Rhode Island because our elected tax collector rarely came to work. Not wanting to live out another eight years like this, the town offered a separation agreement and the employee resigned mid-term for a \$30,000 lump sum check. As a taxpayer in this town, I find this appalling.

These staff shortages required the assessor's office to help out and cover the tax collector's office. When the assessor is restricted from discovering, listing and valuing new untaxed property, because they are busy covering the tax collector's office, our town loses revenue.

When you appoint, you choose employees best suited based on work history, training, knowledge, State Certification, and experience from an unlimited pool of qualified applicants. When you elect, the person does not need to be certified or ever worked a day in their life. The pool of applicants is small, unqualified, with the only requirement: town resident. There have been times when we needed a Tax Collector and literally were calling up anyone we knew who lived in town and didn't have a job and asking them to take the position?

When you hire, employees must report to the Board of Selectman, adhere to the rules, work a full week, submit a timecard, and be accountable. When you elect, you create town employees with no supervisor, who can refuse to attend Department Head meetings, refuse to file time cards, come and go as they please, or not come to work at all while being paid in full with public funds.

These problems are NOT isolated to our one town and what would be the odds of one town having three Tax Collectors who abused the position over a 20 year period. Not everyone will have the courage to admit that they spent \$90,000 per year in salary & benefits for a nearly no-show employee. However, even if this did only happen once, we would all still have a duty and responsibility to ensure that it never happened again. It's happened three times in one town and it just doesn't make sense to allow this to continue when such a simple solution exists.

I admit that there are some great elected tax collectors out there to whom I mean no disrespect. I believe they are great because they are good people with a strong work ethic. I also believe they will be the same good person with the same strong work ethic when they are appointed.

Recent history and return on investment must be considered when contemplating electing employees. Since town employees are not politicians and this crucial department head position collects over 40 million dollars a year in our small town, why wouldn't we design a politically free process that guarantees success?

When considering the pros and cons: There are only positives to appointing Tax Collectors whose salaries are paid for with taxpayer dollars. In today's difficult financial crisis, it's just prudent to make all town employees professional, accountable, and get the most for our public funds.